

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JAILINELI LTD., *a foreign corporation*,
RAQUETTE VIEW LIMITED, *a foreign*
corporation, LIQUID, LP, *a foreign limited*
partnership, BENJAMIN BEJA LEZAMA,
and MARIANA PINTO ESCANDON,

Plaintiffs,

– *against* –

PRODIGY NETWORK, LLC, *a Delaware*
limited liability company, 1400 N ORLEANS
NEWCO, INC., PRODIGY SHOREWOOD
DOMESTIC FEEDER REP FUND, LLC *and*
RODRIGO NIÑO, *an individual*,

Defendants.

ORDER

20 Civ. 2906 (ER)

RAMOS, D.J.:

This Court has an independent obligation to assure itself of its subject matter jurisdiction. *See Bayerische Landesbank, New York Branch v. Aladdin Capital Mgt. LLC*, 692 F.3d 42, 48 (2d Cir. 2012). In this case, the parties have invoked the Court’s diversity jurisdiction under 28 U.S.C. § 1332, and so the parties must be completely diverse in order for this Court to have jurisdiction.

The plaintiffs are two foreign corporations, two foreign individuals, and a limited partnership with no partners that are citizens of New York. *See* Compl. ¶¶ 2–6, Doc. 1. The defendants are two Delaware corporations with principal places of business in New York, an individual domiciled in New York, and a limited liability company with no Mexican members. Compl. ¶¶ 7–10.

If the plaintiff limited partnership has a partner from Delaware, then diversity would be destroyed because citizens of Delaware would be on both sides of the case. *See Platinum-Montaur Life Scis., LLC v. Navidea Biopharmaceuticals, Inc.*, 943 F.3d 613, 617 (2d Cir. 2019). So, too, if any of the defendant limited liability company’s members

were from any foreign country, causing the lawsuit to have aliens on either side of the controversy. *See Tagger v. Strauss Group Ltd.*, 951 F.3d 124, 127 (2d Cir. 2020).

Accordingly, the plaintiffs are ordered to submit a declaration establishing a basis for the subject matter jurisdiction of this Court by May 1, 2020.

It is SO ORDERED.

Dated: April 9, 2020
New York, New York



EDGARDO RAMOS, U.S.D.J.